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ABSTRACT

These lessons are part of a project to make the study of law and legal concepts an integral part of the North Carolina social studies state curriculum, and these materials are correlated to this curriculum. Six lesson goals and numerous activities focus on the legal concepts of authority, justice, and responsibility. This packet for grade five contains 14 handouts of discussion questions, term definitions, and case studies designed to supplement the state curriculum and 10 teacher developed lessons that focus on the U.S. legal system. A legal concept, goal, objective, teaching strategies for motivation and development, resource materials, and a culmination activity are outlined for each of the 10 lessons. Additional handouts are provided to be used with some of these lessons. (DJC)

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Lessons In Law For Middle Grades

GRADE FIVE

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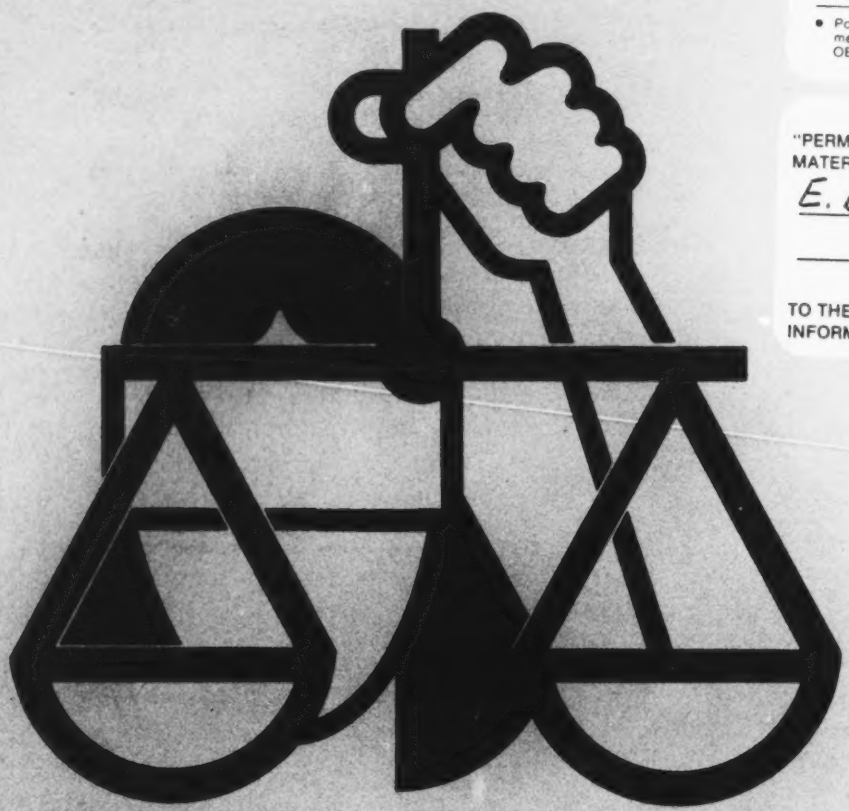


SO 019 815

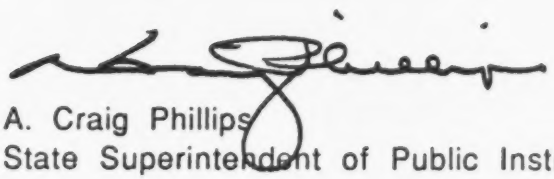
Division of Social Studies • North Carolina Department of Public Instruction

FOREWORD

Teaching about the law is an important part of the social studies curriculum. There is evidence that this strand of the curriculum is very beneficial in terms of preparation for citizenship for all students and in the reduction of delinquent acts among juveniles.

The materials introduced and developed by the Lessons in the Law for Middle Schools project are designed for grades 4-8 to enliven, enhance and reinforce the objectives of social studies curriculum.

We are grateful to the Governor's Crime Commission for providing the resources for this project and to the teachers who contributed to the development of these materials. We are confident that the positive impact of this project will be felt by thousands of students over the next few years.



A. Craig Phillips
State Superintendent of Public Instruction

LESSONS IN LAW FOR MIDDLE GRADES

GRADE FIVE

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Some of the lesson formats used in the illustrative activities are based on formats used by the Center for Civic Education in the Law in a Free Society Curriculum.

PROJECT OVERVIEW

The Lessons in the Law for Middle Schools project is a part of a much larger effort to make the study of law and legal concepts an integral part of the North Carolina social studies curriculum. The project is funded for two years by The Governor's Crime Commission. The first year of the grant has been devoted to working with a select group of teachers in grades 4 through 8 to produce practical, easy-to-use lessons for teaching about the law. These lessons will be made available to other teachers who teach at the same level. Teachers selected for the initial year of the project received two days of inservice education related to the concepts of authority, justice, and responsibility in eight workshops held throughout the state. During the workshops, each teacher was asked to produce a lesson related to one of the concepts. The lessons were designed to be completed with a typical in class in 1-3 days. Preparation of the lessons was started during the workshops and completed by the teachers on their own immediately following the workshop. The lessons were first fieldtested by the writer and later critiqued and in some cases fieldtested by other workshop participants. Some of the evaluations of the lessons were done in a one day follow-up workshop. Each lesson was revised on the basis of the field-test and critiques. Several of the lessons are included in the activity booklets produced by the project. Not all of the lessons produced by the participants have been included. Some lessons, though quite useful, contained copyrighted material that could not be reproduced. Others required the use of commercially produced materials. If additional resources become available in the future, more of the lessons produced by participants in the project will be printed and distributed.

Each of the lessons included in the booklets are correlated to the North Carolina social studies curriculum for grade 4, 5, 6, 7 or 8. These lessons will be used in a series of one-day workshops during the second year of the project to introduce teachers to practical strategies for teaching about authority, justice, and responsibility. These workshops will be designed to provide teachers with a better understanding of these legal concepts and to acquaint teachers with the lessons produced during the first year of the project.

The lesson development activities and the workshops associated with the project were facilitated by the regional coordinators for social studies of the Division of Social Studies, Department of Public Instruction. If you are interested in learning more about the law-related education strand of the social studies curriculum or if you are interested in workshops for teaching about the law, you may contact the social studies coordinator by calling the regional education center for your area of the state.

INTRODUCTION

Included in the North Carolina Standard Course of Study for Social Studies are specific goals which define what students should learn about the law. There are goals for each grade, grades four through eight, which focus on the concepts of authority, justice, and responsibility. The general goals below are the focus of the activities found in these materials. Specific goals and objectives are listed for each teacher-developed activity.

The learner will:

- understand the concept of authority as it relates to citizenship in a democratic environment.
- be able to analyze cases involving the concept of responsibility and choose responsible courses of action when presented with situations requiring action.
- understand the procedural, distributive and corrective aspects of the concept of justice.
- participate effectively in groups.
- identify and define problems and suggest ways to solve them.
- demonstrate growth in self management.

The information and ideas found in these materials are not intended to supplant the existing social studies curriculum. Rather, they are intended to enhance the curriculum and supplement available textbooks, locally prepared teacher guides, and other supplementary materials.

On pages 2 through 36, you will find illustrative activities for teaching middle-grades students about authority, justice, and responsibility. These are followed by lessons developed by classroom teachers.

AUTHORITY

Authority is a basic legal concept that students should learn about during the middle grades. This concept will be better understood by students if they have opportunities to analyze rules, laws, policies, and the responsibilities of those in positions of authority and leadership. The following activities are examples of how students can be directed to focus on authority.

ANALYSIS OF CRIMINAL STATUTES

In order to have students better understand such concepts as "property crimes," "crimes against the person," "aiding and abetting," and "accessory to a crime," have students analyze the simplified versions of North Carolina statutes included in this package. Other statutes may be substituted if you so desire. The six analysis questions, labeled as Handout 1, may be used as a tool for examining a variety of statutes, rules, and policies.

The recommended procedure is to:

- provide students with the analysis questions in Handout 1.

- review the questions so students will understand the intent and purpose of each. What appears very obvious to adults may require some explanation for students.

- provide students with a copy of one of the statutes in Handout 2. Have them read the statute and carefully answer <u>each</u> question for the statute under consideration. First have students answer the questions individually. Then place them in groups of four to six students to discuss their answers. When assigning students, use a method that assures that each small group is representative of the overall class. After being placed in groups, students should attempt to reach a consensus on the answer to each question. It may be necessary to discuss the meaning of consensus and rules for reaching consensus with your students. If you do not have enough time to complete both steps of the assignment in class, you may have the students answer the questions individually as a homework assignment and complete the small group assignment in class. Following the small group assignment, lead a class discussion using the student responses to the analysis questions as a starter. Draw upon student experiences as a part of the discussion and use analogous examples when appropriate.

This activity may be repeated using a variety of rules and/or laws as the focus. The use of outside resource people can enhance the effectiveness of this activity. If the focus is upon a particular type of law or rule, you may want to have an expert available to discuss the student responses to the questions in the rule evaluation activity. For example, someone from the District Attorney's office will greatly enhance a discussion of criminal statutes. The principal of your school is an expert in school law.

ANALYZING RESPONSIBILITIES OF INDIVIDUALS IN POSITIONS OF AUTHORITY

Analyzing the responsibilities and desirable characteristics of individuals in positions of authority and leadership will help students understand the need for having individuals in positions of authority in families, in the workplace, and in government. A wide range of individuals may be considered in this type of activity. Authorities relevant to the lives of students or to topics that are included in the curriculum may be the focus of these discussions. Individuals studied should include government officials, political candidates, and officeholders plus individuals from a variety of professions. Such activities will foster the development of skills needed to become intelligent voters and decision-makers.

The recommended procedure is to:

- select a position of leadership for students to consider.
- have students either brainstorm or do research on the powers, duties, limitations, and privileges of a person in that position of authority or leadership. These should be listed on the chalkboard, an overhead projector, or chart paper so the class can see them.
- discuss the lists with the class. The discussion will lead to a better understanding of the position under consideration.
- have students list personal characteristics that are desirable in a person holding such a position.
- consider real or contrived candidates for the job. Do not allow your students to consider someone for the position until they have completed the first two steps in the activity.

Handouts 3, 4, and 5 contain information on candidates for three positions: a babysitting job, a school bus driver and a district court judge. After discussing powers, duties, limitations, and privileges of an individual in the position under consideration, provide each student with a description of the candidates for the position. Have them individually select the person they feel is best suited for the position. After they have made their individual selections, place them in small groups to discuss and defend their selections. After a few minutes in small groups, conduct a discussion involving the entire class, and consider such questions as: What influenced your choice? Did some personal experience influence your choice? Did you have enough information to make a choice? What else would you like to know about the candidates?

Discussions of responsibilities and desired characteristics of individuals in positions of authority and leadership may be extended by focusing on authorities familiar to most middle-grades students. A few are listed below:

President of the United States
School Board Member
Law Enforcement Officer
State Legislator
Supreme Court Justice
Military Officer
City Council Member
Airline Pilot
County Commissioner
United States Senator
National Leaders from any country studied

As discussions are held regarding individuals in positions of authority, you may want to have someone who holds such a position available to discuss the position with students. If you are discussing the role of judges, have a judge discuss his/her duties.

JUSTICE

Justice is a second concept that should be emphasized with middle-grades students. They can improve their understanding of justice by analyzing and discussing situations that raise questions such as: How can wrongs or injuries be fairly corrected? How can burdens and benefits be fairly distributed? Were the procedures used to gather information and to make decisions fair? Several of the illustrative strategies are examples of ways to involve students in a discussion of justice issues.

Students can gain insight into how society attempts to deal with a wide range of problems by analyzing the cases in Handouts 7, 9 and 11. Similar situations from various cultures will help students better understand those cultures. The suggested procedure for looking at the criminal cases is similar to the procedure that is suggested for examination of laws, rules, and policies. Students are confronted with situations and guided to think about the nature of the problem, the severity of the problem, and mitigating and aggravating circumstances.

The recommended procedure is to:

- provide students with copies of the questions in either Handout 6, 8, or 10. The type of case used will determine which set of questions are appropriate. You may need to modify and/or explain the questions to assure that students understand them.

- provide each student with one of the cases found in Handout 7, 9, or 11 or other cases you identify.

- allow sufficient time for students to think about and answer each question for the situation they have been assigned. Point out that not all questions apply to each case. If it is determined that a question does not apply, students should make a note of it and move to the next question. Students should be instructed to answer each question to the best of their ability. It should be pointed out that there are no "correct answers" in the usual sense. However, some answers will be better than others.

- allow students to first answer the questions individually. After students answer the questions, have them discuss their answers with other students in small groups. The group task should be to reach a consensus or at a minimum discuss the merits of each proposed answer. The strategy for grouping should be similar to the one used in the activities related to justice.

After the small group discussions, conduct a class discussion drawing upon individual and group responses to each question. During the discussion let the students support their positions using arguments based on experience, knowledge of the law, perception of right and wrong, and what they feel will be fair to all parties.

In addition to or in the place of the situations provided, teacher may choose to create more appropriate ones for their classes. They may choose examples from current events or the daily lives of students that are related to fair ways to correct wrongs or injuries or fairness in the acquisition and use of information in governmental decisions. Some examples, relevant to the middle grades social studies curriculum, involving the fair distribution of burdens and benefits are:

- Who decides which students go on a class field trip and how is this decision made?
- What type of foreign aid--humanitarian, military, economic, should the United States and other nations provide developing countries?
- How are decisions about the allocation of jobs for the unemployed and better paying jobs for the under employed made?
- How are the tax burdens associated with various types of economic activity fairly distributed?
- How are welfare benefits for various groups such as the elderly, poor and children determined?
- How can lawmakers fairly decide which community will be affected by a new highway, waste dump, or airport?
- How can regions and groups to benefit from various government programs be fairly identified?
- How can regions and groups to benefit from new ideas and inventions be fairly identified?

Lawyers, judges, court counselors, and other government officials can be valuable resources when discussing situations related to justice.

RESPONSIBILITY

Responsibility is a third fundamental legal concept that should be taught to middle-grades students. It is closely related to both authority and justice. One of the dilemmas in handouts 12, 13, and 14 or one that the teacher creates can be used to get students involved in discussions of issues related to responsibility. There are two types of issues for discussion. Students should be encouraged to think about situations which require them to make choices about the right course of action. Students should also consider situations which involve making decisions about when one should be held responsible. Handouts 12, 13 and 14 provide examples of both types of issues. There are questions for each situation to guide student discussion of the issue(s) involved. The questions that students consider when discussing such problems require perspective-taking. In terms of social and intellectual development this skill should be a high priority. With experience in viewing problems from many points of view, students will be better prepared to act responsibility.

For maximum impact follow the procedures outlined below:

- Have students read or listen to the situation.

- Following the presentation of the situation, ask a few comprehension questions to determine students' understanding of the facts. Ask questions that clarify the identity of the main characters. Also ask questions that probe students' understanding of the sequence of events. Be sure that students know the significance of each character or event.

- After the facts have been established, ask students to take a position on what the central character should do and think of reasons to support their decision. It may be helpful to require students to write down their positions and reasons so that they will remain committed to them in the initial stages of the discussion.

- After students are committed to a position, poll the class to determine the extent of disagreement among class members. If the class is clearly divided over the desired course of action or who should be held responsible, place students in small groups of three to five students who are on various sides of the question. The small group task is to try to reach a consensus on the best solution to the problem and agree on the best reasons for the recommended solution.

- Following the small group discussions, hold a class discussion of the problem. During both the small group and class analysis of the problem, use the questions which follow the situation to focus and enliven the discussion. The questions are intended to raise the most obvious issues and to encourage perspective-taking.

- If the class is clearly in agreement on the best solution to the problem, an alternative method of directing the discussion may be used. Before placing students in small groups, have them brainstorm a list of reasons for advocating the solution they agree upon. Place the list on the chalkboard, an overhead projector, or a chart. The small group and class discussions now focus on the reasons; with the task of deciding which reasons are the most compelling ones for a particular action as the primary focus.

QUESTIONS FOR EVALUATING LAWS, RULES, AND POLICIES

1. What law did the legislature make?

2. Why did the legislature think the law was needed?

3. What can be done to solve the problem other than make a law?

4. What could be the benefits of this law?

5. What could be the harmful effects of this law?

6. Is there anything wrong with this law?

7. Do you think this law should remain the same, be changed, or be repealed? Why?

SIMPLIFIED LAWS

Aiding and abetting

A person is considered to be aiding and abetting in criminal activity if present when the crime is committed and advises, encourages, or otherwise helps the person who committed the crime. (Punishment is the same as for the person committing the crime.)

Accessory

A person is considered an accessory to a crime if he or she is not present when the crime is committed but has knowledge of the crime before or after it is committed and offers advice, encouragement, or assists the person who committed the crime. (Punishment is the same as for the person committing the crime.)

Extortion

A person who threatens someone directly or indirectly for the purpose of gaining anything of value is guilty of extortion if convicted. (Punishment is imprisonment of not more than ten years and/or fine.)

Felonious Breaking or Entering

A person entering or breaking into a house for the purpose of stealing property, damaging property, or injuring someone is guilty of felonious breaking and entering, if convicted. (Punishment is imprisonment of not more than ten years or a fine.)

Breaking or Entering Vehicle

A person who enters a motor vehicle, boxcar, boat, trailer, or aircraft with the intention of committing a larceny or felony is guilty of breaking or entering a vehicle, if convicted. (Punishment is imprisonment of not more than five years.)

Breaking into Coin- or Currency-Operated Machine

A person who breaks into or otherwise opens a coin- or currency-operated machine without the consent of the owner is guilty of breaking into coin- or currency-operated machine, if convicted. (Punishment is imprisonment of not more than five years.)

Injury to Real Property

A person who intentionally damages, injures, or destroys the property of another is guilty of injury to real property, if convicted. (Punishment is imprisonment for not more than two years and/or fine.)

Defacing a Public Building

A person who writes on, marks, defaces or injures the walls of a public building, facility, statue or monument in a public place is guilty of defacing a public building, if convicted. (Punishment is imprisonment for not more than six months and/or fine of not more than $500.)

NOTE: These laws are very generalized and simplified. The adult penalty is included to demonstrate that society disapproves of these actions regardless of the age of the offender.

CANDIDATES FOR BABYSITTER

CANDIDATE 1

NAME: Sarah Jane Nelson

AGE: 16

SEX: Female

EDUCATION: junior high school

INTERESTS:
Swimming, horseback riding, fishing and reading

PREVIOUS EXPERIENCE: None

REFERENCES:
Three favorable references including her eighth-grade homeroom teacher, her mother and her next door neighbor

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CANDIDATE 2

NAME: Judy Ann Brown

AGE: 17

SEX: Female

EDUCATION: Two years high school

INTERESTS: Dancing, singing in the choir, drama and tennis

PREVIOUS EXPERIENCE:
YMCA camp counselor, three years babysitting, office assistant, pool and snack bar and school day care center

REFERENCES: Three favorable references from previous employers

CANDIDATE 3

NAME: Ken Madison

AGE: 16

SEX: Male

EDUCATION: One year high school

INTERESTS: Football, golf, model airplanes, video games and dating

PREVIOUS EXPERIENCE: Worked in summer Boy Scout camp, lifeguard at local swimming pool, four years babysitting experience

REFERENCES:
Three favorable references including previous employers

CANDIDATES FOR SCHOOL BUS DRIVER

CANDIDATE 1

NAME: Eric White

AGE: 17

SEX: Male

EDUCATION: Two years high school

INTERESTS:
Academics (honor roll student), debate team

PREVIOUS EXPERIENCE:
Has driven heavy farm machinery, including trucks for several years

REASON FOR SEEKING JOB:
Needs to save money for college

CANDIDATE 2

NAME: Ann Jones

AGE: 37

SEX: Female

EDUCATION: Two years college

INTERESTS:
Girl Scout leader, taking trips with her two daughters and husband

PREVIOUS EXPERIENCE:
Has driven church bus and van and has transported numerous children in car pools for several years

REASON FOR SEEKING JOB:
Needs extra spending money

CANDIDATE 3

NAME: Ed Green

AGE: 16

SEX: Male

EDUCATION: Two years high school

INTERESTS:
Member of football and track teams

PREVIOUS EXPERIENCE:
None other than good record with personal car.

REASON FOR SEEKING JOB:
Needs gas money for his new sports car.

CANDIDATES FOR DISTRICT COURT JUDGE

CANDIDATE 1

NAME: Sue Johnson

AGE: 42

SEX: Female

MARITAL STATUS: Divorced, two children ages 12 and 16

EDUCATION:
Law Degree from
Duke University

INTERESTS:
Volunteers in local schools and is active in Mothers Against Drunk Driving.

PREVIOUS EXPERIENCE:
Private law practice five years, juvenile police officer three years before attending law school

STATEMENT OF PHILOSOPHY:
Believes that society should be protected from criminals by being tough on criminals, particularly those who commit crimes against children and the elderly

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CANDIDATE 2

NAME: John Allen Reid

AGE: 32

SEX: Male

MARITAL STATUS: Single

EDUCATION:
Law Degree from North Carolina Central University

INTERESTS:
Big Brother program, Jaycees, plays tennis, volunteer firefighter

PREVIOUS EXPERIENCE:
Public defender two years, assistant district attorney three years, and private law practice five years

STATEMENT OF PHILOSOPHY:
Believes that society should find ways to rehabilitate criminals, believes that poor defendants should get better legal counsel

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CANDIDATE 3

NAME: Richard Lee Jamison

AGE: 44

SEX: Male

MARITAL STATUS: Single

EDUCATION:
Law Degree from Georgetown University

INTERESTS: Horses, golf, and church work

PREVIOUS EXPERIENCE:
District court judge four years, district attorney four years, and private law practice ten years.

STATEMENT OF PHILOSOPHY:
Believes that the criminal justice system works extremely well, believes very little can be done to improve it.

CORRECTIVE JUSTICE

1. Identify the crime/problem.

2. How serious was the crime/problem?

3. How many people were involved, how much property, how much land, how many plants, animals, or other things of value were affected?

4. Over how long a period of time did the crime/problem take place?

5. How great an effect did the crime/problem have?

6. How offensive was the crime in terms of right or wrong and human dignity?

7. Was the crime the result of an intentional act?

8. Was the crime the result of recklessness?

9. Was the crime the result of carelessness or thoughtlessness?

10. Did the person know that he or she was committing a crime?

11. What was the person trying to accomplish?

12. Had the person done something like this before?

13. How did the person feel about what he/she had done?

14. Did the person act alone, as a leader, or as an accomplice?

15. Did the victim contribute to the crime/problem?

16. Should the person be punished, forgiven, or required to pay restitution? Explain how this should be done.

CORRECTIVE JUSTICE CASES

A CASE OF GREED

Jenny knew that one of her teachers, Ms. Jones, enjoyed popular music and had a large collection of stereo tapes in her car. She knew about this because Ms. Jones had given her a ride home one day after school when it was raining. She had learned from some older boys in the neighborhood that a second-hand store in town would buy used tapes, tape players, radios, and stereos. The boys said that the owner had bought stolen items from them on several occasions. Jenny started to think. Rarely did she have enough money to do all of the things she wanted to do. If she could steal a few things to sell, she could have more spending money. One afternoon after school as she walked through the school parking lot, she spotted Ms. Jones's car. It was unlocked. There were about fifty tapes and a small cassette recorder in the car. Temptation got the best of her. She took the tapes and the recorder. She put them in her gym bag and walked away. She asked her older brother to take them to the second-hand store and sell them. Her brother sold them and gave her $25. She was very careful not to spend the money all at once. She was afraid that her parents or someone else would notice and question her about where she got the money. Ms. Jones had reported the theft to the police, but no progress had been made in solving the crime.

Several weeks passed and the money ran out. Jenny was sure that no one suspected her. As she rode her bike in the park one afternoon, she saw a young couple beside a stream. Up the hill from where they stood was a park bench and picnic table. On the table was a large "jam box". The table was out of the view of the couple. She was sure the "box" belonged to the people beside the stream. Temptation struck again! She rode past the table and grabbed the "box". She rushed home. Her brother was the only person there. He agreed to sell the "box". This time she got $40. Her luck ran out. The police had been observing the second-hand store. They questioned Jenny's brother and learned of Jenny's involvement. Then they questioned her.

AT THE WRONG PLACE AT THE WRONG TIME

Jerry and some of his friends were playing on the playground at the elementary school in their neighborhood. They were playing basketball on an outdoor court. The building was locked. Some of the boys needed to go to the restroom. They found an open window and entered the building to use the restroom. As they were preparing to leave, they heard footsteps. It was a security guard. They ran down the hall as fast as they could. In their haste, several of the boys crashed into a large glass display case in the hall. To their dismay it shattered. Fortunately, nobody was hurt. The security guard shouted for them to stop. They were absolutely petrified. The security guard called the school principal. She told the boys that they had unlawfully entered the building and had vandalized school property by breaking the display case. The boys' parents were called.

UNAUTHORIZED SALES

Tom brought bubble gum to school in order to sell it on the bus and in the school building. He doubled the price and sold the gum to students. Some students spent their lunch money on Tom's gum. His sales activity was against school policy. When Tom's business activities were discovered by the assistant principal, he was summoned to the office.

A CASE OF LIABILITY

Mike's teacher sent a note to his parents to inform them that he had not turned in a science booklet which was to be recorded as a test grade. Mike did not show the note to his parents. Instead he signed his mother's name and returned the note to the teacher. When the teacher recognized the signature as a forgery, she told him to come by after school.

IS IT ASSAULT?

Joanna happily boarded the school bus at the end of the day. It was the last day of the school year. In her excitement about school ending, Joanna slung her bookbag across the seat, hitting Lucy in the forehead. The blow caused a cut that required six stitches.

TOO MUCH TARGET PRACTICE

David and Brian lived in a rural area. After school and on weekends they enjoyed playing in the woods and fields near their home. Both boys had air rifles. When they had enough money to buy pellets, they enjoyed shooting at stationary targets with their rifles. Sometimes they shot at paper targets, cardboard boxes, and metal cans. They tried their skill in all sorts of positions - kneeling, standing, and lying down. They talked about how much fun it would be to enter competitions when they were older. Perhaps, someday they would be good enough to compete against men and women from other countries. Both boys were very good marksmen. Their parents knew of their interest in shooting and had instructed them in gun safety. Sometimes they were allowed to target practice with shotguns and rifles under their parent's supervision. What both wanted was a chance to shoot at moving targets. They had tried this once and realized it was far more difficult than hitting a stationary target.

After target practice in the woods one day, the boys were riding their bikes home. It was nearly dark. They were kidding each other about who was the better shot. Brian told David that if he was as good a shot as he said, he could hit Mr. Brown's horse as it ran beside the fence. The horse would sometimes trot beside the fence as the boys rode past. David stopped, took aim and hit the horse squarely in the side. The horse neighed and ran quickly away. The boys laughed and kept going. A little farther along Brian said, "I'm going to really show you something. See that cat walking on Mrs. Barnes' fence? I'm going to really sting it." He stopped, took aim, and fired. He missed. He fired a second time. This time he hit the cat. The boys laughed and continued on their way home. That evening they learned that the first pellet had struck Mrs. Barnes' storm door and cracked the glass. The second shot hit the cat and blinded him in one eye. Mrs. Barnes found a BB pellet on her porch. The veterinarian removed the second pellet from the cat's eye. The veterinarian's bill was $95. The boys' parents were called. When confronted with what had happened, the boys admitted what they had done. They said they knew better and were terribly sorry.

IS IT WORTH IT?

Becky lived near a shopping mall. She often went to the mall to hang around and talk with her friends when she had nothing better to do. Once in a while she would do some shopping for her mother. One day when she was in the mall and none of her friends were around, she got bored. She went into one of the large department stores. First, she looked at the cosmetics and then at the clothes. Later she went back to the cosmetics area. There she saw a cosmetic kit that she really wanted, but did not have enough money to buy. The salesclerk in the cosmetics department was helping a customer. It was a slow day. There were no other shoppers nearby. Becky slipped the kit into her handbag and walked out of the store into the mall area. Just as she left the store, Becky was stopped by a security guard. The guard took her to the store office. He examined the contents of her bag. He told her that she had been observed through the store's video security system slipping the cosmetics into her bag. Becky offered to return the merchandise. She asked if she could call her parents and get money to pay for them. The store manager said no and called the police. The police came and called her parents at work. They were upset at what had happened.

A CASE OF EXTORTION

Billy, a big boy for his age, told Greg to bring him a specific baseball trading card or he would beat him up. The next day when Billy learned that Greg had ignored his request, he twisted Greg's arm and tied him to a door in the boys' restroom. Greg was late to class because of his ordeal. When he explained what happened, Billy was sent to the principal.

DISTRIBUTIVE JUSTICE

1. What benefit or burden is to be distributed?
2. What person(s) or group(s) are being considered as recipients?
3. Which person or group has the greatest need?
4. Which person or group can best use, apply, or handle what is being distributed?
5. What has the person or group done to receive this burden?
6. Does the person or group qualify for this burden or benefit?
7. Which person or group deserves what is being distributed?

DISTRIBUTIVE JUSTICE CASES

EXTRA HOMEWORK

Sue, Tom, and Jane are advanced students in Mrs. Martin's fourth grade class. Each week they are out of the classroom for three hours attending special classes. Sue, Tom, and Jane have to make up their classroom assignments each time they go to a special class. The makeup work is usually assigned as additional homework. Mrs. Martin has a problem. She is not sure if she should give additional homework assignments to students who do not go to special classes. She wonders if it will be fair to give extra homework to three students without giving extra homework to the rest of the class. After all, the students have spent the same amount of time in classes. If extra homework is to be given only to those students in special classes, should she give more homework to those who leave the classroom for remedial work? What will be the fairest thing for Mrs. Martin to do?

EXTRA CLASS WORK

At Stony Creek School the music teacher offered extra classes in recorder to those students who wished to participate. Most of the students in Mrs. Gardner's class chose to attend. A small number were left in the classroom. They were assigned extra math work to do. These students and their parents did not think the additional math practice was fair. Is the additional math work fair?

WHO SHOULD BE REWARDED

The West Street PTA offered an ice cream party to the class with the highest sales in the annual magazine sale. Two classes tied for first place. The budget has enough money to provide a party for only one class. An analysis of sales charts shows that in one class all students sold magazines. The sales in the other class were the result of the work of one student. His sales account for 90 percent of the class total. Should the principal try to find a way to reward both classes or should he reward the class in which all students contributed and invite the high salesperson from the other class? Which solution will is fairer?

WHO IS BEST QUALIFIED ?

Each homeroom at Mills Creek Elementary School chooses a reporter for the school newspaper. To be eligible, a student must have good handwriting and grammar skills. There are two students in Ms. Ruppard's homeroom who badly want this position. Jerry is a good student in every sense of the word. His grades are excellent. He has never had any behavior problems at school. His interests are pretty much academic. Jill also wants the job. She is quite different from Jerry. Her grades overall are not good. However, she is a good writer. She is well rounded, enjoys sports, and is well liked by other students. She seems to know everything that goes on in the school and community. She has a hard time following rules. She has been to the principal's office twice for problems on the school bus and in class. Which student deserves the privilege of representing Ms. Ruppard's class as a reporter?

WHO SHOULD PAY?

Sally borrowed a library book from Mary. Sally left the book on the porch while she played with her dog. Her mother called her for dinner. Sally forgot about the book. During the night Sally's dog chewed the book. It was so badly damaged that it had to be replaced. The book was checked out on Mary's library card. Should Sally bear the total expense or should Mary share in the cost, since the book is officially checked out to her? Do the parents of either girl have any responsibility for helping to pay for the damage?

PROCEDURAL JUSTICE

1. Do you need to know anything else about this case?
2. Is this information secret or public?
3. Was the information presented effectively?
4. Were both sides fairly represented?
5. Was the information reliable?
6. Was public notice of the hearing or meeting given in advance?
7. Were everyone's rights protected?
8. Were the decisions in this case fair?

PROCEDURAL JUSTICE CASES

THE MISSING MONEY

Donald, a fourth grader at Oakview Elementary School, was excited about selling candy for the school's annual fund raiser. The class was pleased that Donald took fifty candy bars to sell. Donald did sell all the candy. However, he spent the money on himself. This matter was called to the attention of the principal. The principal notified Donald's parents of the problem and asked them to come for a conference. During the conference, Donald's teacher explained what had happened and indicated that several class members had observed Donald playing video games and attending movies more than usual. Donald explained that he lost the money. He indicated the money spent for video games and movies came from money he had saved. The principal said that since the money was missing, Donald and his parents would have to replace it. He also stated that Donald would be punished by being placed in detention for five days. Donald's parents agreed to allow Donald to either earn the money or take it from his savings. Was Donald treated fairly?

THE BOOK THIEF

Patrick loved to read books. His parents bought him many books and took him to the public library frequently. However, Patrick had another way of getting books. He was stealing them from his school library. He had stolen twenty or more books before the librarian discovered the theft. The librarian, his teacher, and the principal were very upset about the incident. Patrick was a good student in the academic sense. He made good grades and did well in all of his subjects. However, almost every week he was in some type of trouble. He had been punished often by his teachers and the principal. This time the principal felt that more drastic measures had to be taken. He called in the juvenile officer from the local police department. The officer came and talked to Patrick and his parents and he filed a complaint with the juvenile court counselor. The counselor talked to the principal, the librarian, Patrick's teacher, his parents, and Patrick. After ten days the counselor decided that Patrick did not need to go to court. He encouraged Patrick and his parents to pay for the books. He also required Patrick to attend a special class on Saturday morning for pre-delinquent youth. Was Patrick treated fairly?

THE COUNTERFEITER

At Riverdale Elementary School the students pay for their ice cream in the lunch line and receive a red ticket which they redeem at the ice cream box. George, who is in Mrs. Smith's class, devised a scheme for getting free ice cream. He found paper which was the same color as the ice cream tickets in the the trash can. He cut the paper the proper size, made some tickets for himself, and gave the remaining tickets to his friends. George and his friends used them to buy ice cream. It was not long before the fraud was discovered. The principal immediately summoned George to the office. He questioned him and suspended him from school for three days. He sent a letter to George's parents telling them about the incident and punishment. His letter also requested a conference with George and his parents. The principal also called in the other students who had used counterfeit tickets, assigned them to detention for one week, and wrote letters to each of their parents. Were George and the other offenders treated fairly?

DOES KNOWLEDGE BRING RESPONSIBILITY?

Scott and his friends were making plans for Halloween. They were thinking of things to do that would really attract attention. They decided that it would be fun to go through a nearby, well-to-do neighborhood, taking pumpkins from front porches and smashing them on the sidewalk. They reasoned that if they did this on Halloween, they would not be punished. If someone saw them, they probably would not be recognized since they were a few blocks from home and would be wearing Halloween masks. They figured their parents would not suspect anything since they would be out "trick or treating." The conversation took place in the school cafeteria. Beth and Susie overheard the discussion and were concerned about what they had heard. They were afraid that if the boys followed through on their plans they might get hurt or in trouble. Certainly the people in that neighborhood would be upset. Beth and Susie worried about what they had heard for the rest of the day. They did not want anyone to get hurt and they did not want to be considered accessories to a crime. But they also did not want to be labeled as "finks," or tattletales. Should Beth and Susie tell or should they remain silent?

1. Did Beth and Susie have the right to listen to Scott's plans?

2. What obligation do the girls have to other citizens, the police, and the boys?

3. If the boys cause property damage, should the girls be held responsible in any way for what happens?

4. What do you think will happen to the girls if they tell?

5. If you are a homeowner, police officer, or Scott's parents, what do you want the girls to do?

6. Does a person have an obligation to go to the authorities if he or she has knowledge of actions or events which are likely to harm others?

THE LIBRARY BOOK

Patsy Richardson was new at Cedar Springs Middle School. She liked reading. Melissa Robbins, the first girl she met at her new school, also enjoyed reading. The day after they met, the girls agreed to go to the public library after school. Patsy was eager to know where it was and to get a library card. At the library the clerk called Melissa's attention to some new books. Patsy saw a book that she wanted to check out. The clerk gave her an application for a library card, and told her that her mother must sign it before she could get a library card..

"I must have this book," insisted Patsy.

"But you don't have a card," Melissa said.

Patsy replied, "You can check it out for me."

"That's fine," said the clerk. "But Melissa will have to be responsible for the book."

On their way home, the book slipped from Patsy's arm and fell into a puddle of water. It was badly damaged. Several days later when Patsy returned the book to the library, the clerk immediately called Melissa and told her she owed $5 for the damaged book. Melissa called Patsy and ask her to pay for the book. Melissa out pointed that Patsy was the one who had damaged it. Patsy refused, reminding her that the clerk had told her that she would be responsible for the book. Who is responsible?

1. Is it possible to follow a rule and still be wrong?

2. If Patsy fails to pay for the book, how will it affect her relationship with Melissa?

3. If you were the library clerk, what do you think Patsy should do?

4. If you were Patsy's parents, what do you think she should do?

5. If you were Melissa's parents, what do you think she should do?

6. Should Patsy be given a library card?

7. Should anyone ever be held responsible for the actions of someone else?

THE COMPUTER GAME

Jamie and Lewis were on their way home from school when suddenly Lewis remembered that he had promised his mother he would buy some toothpaste at the drugstore.

"Come on, Jamie," Lewis said. "It will only take a few minutes."

As they entered the store, Lewis headed straight for the section where the toothpaste was kept. A big display of miniature video games caught Jamie's attention and he walked in that direction. Lewis looked and looked for the brand of toothpaste his mother wanted. At last he found it. He picked up the tube of toothpaste and went to get Jamie. Jamie was standing at the counter, playing with a game when Lewis found him.

"Come on, Jamie," said Lewis. "Let's go."

"Okay, Lewis," Jamie replied.

Just as they were leaving, Lewis saw Jamie quickly stuff a game into his pocket. "Jamie, did you take that game?"

"No," said Jamie.

"You did," said Lewis. "I know, I saw you. You'd better put it back."

"Yeah, I did," said Jamie, "and it's none of your business. What are you going to do about it?"

"I could tell the people who run the store," said Lewis, "because I don't think people ought to steal things. Please put it back."

"Look, I told you it's none of your business, so just forget about it, will you?" Jamie said angrily.

"I'm warning you, Jamie, if you don't put it back, I'll tell the lady at the cash register."

"You wouldn't dare!" Jamie snapped.

Should Lewis tell the cashier?

1. How will Lewis feel if he does tell? does not tell?

2. Which is more important in this case, telling the cashier or maintaining a good relationship with his friend?

3. What might happen to the relationship between the two boys if Lewis tells?

4. Suppose Lewis does not tell and a store employee or a security guard catches Jamie, should Lewis be punished as well?

5. If Lewis's parents were available to advise him, what do you think they would want him to do?

6. Is it ever right to steal or be tolerant of those who do steal?

LESSON 5-1

Limited Power

CONCEPT: Authority

GOAL 6: The learner will know the need for legitimate authority and for person in roles of authority.

OBJECTIVE 6.2: Know the need for legitimate authority.

PROCEDURES

A. MOTIVATION

Ask: Why did our nation need laws by which to be governed? Have students give several reasons for their responses. Excuse yourself from the classroom. Prearrange for several students to create a disturbance once you have left the room. Designate a student to be in charge in your absence. Instruct the student before class to treat students unfairly. The student in charge should consistently ignore the misbehavior of friends while reprimanding and threatening to report others.

B. DEVELOPMENT

Return to the classroom and discuss the following questions: How could the uproar in the classroom have been prevented? How did the unfair behavior of the student in charge affect the behavior of the class?

Have students divide into small groups. Instruct them to make a list of rules that would help class members get along better. Ask groups to display and share their rules with the class. Then have the class vote on each rule to determine which ones they think are the most important.

Make a chart listing the most important rules and display them in the classroom.

Provide students with a copy of the United States Constitution. Instruct them to work in pairs examining specific sections or amendments. Students should look for limitations placed on each branch of government or on individuals who are officials of the government. Give two or more pairs the same assignment so they can check each other for thoroughness and accuracy.

After students have had a few minutes to carefully examine the assigned section of the Constitution, discuss what students have learned from their study of this document. Help them understand that the founders deliberately sought to reduce the likelihood of the abuse of power by government officials.

MATERIALS: (Needed)
Chart paper, markers
Copies of the United States Constitution

C. CULMINATION

Explain that the rules established by the class can prevent the abuse of power by a member of the class in much the same way that the Constitution and the Bill of Rights prevent the abuse of power by officials of the federal government.

LESSON 5-2

POWERS OF THE PRESIDENT

CONCEPT: Authority

GOAL 6: The learner will know the need for legitimate authority and for persons in roles of authority.

OBJECTIVE 6.4: Describe the source of authority for a rule/law or of an authority figure.

PROCEDURES

A. MOTIVATION

Ask: What is the Constitution? How is the power of the national government divided? Then ask: Why was power divided?

B. DEVELOPMENT

Provide students with copies of the United States Constitution and have them answer each of the following questions:

1. Who heads the executive branch?
2. What are the qualifications for becoming President? (See Section II of the Constitution)
3. What are the duties of the President? (See Section II of the Constitution.
4. What authority does the President have? Give examples of each of the President's powers..

MATERIALS: (Needed)
Copies of the United States Constitution

C. CULMINATION

Have students write a brief essay using the following starter. "The President can _____ because _____." Students should be encouraged to cite constitutional authority for the action they have chosen to write about.

LESSON 5-3

COPING WITH DISASTER

CONCEPT: Justice

GOAL 8: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide fair procedures for dealing with problems.

OBJECTIVE 8.3: Identify fair procedures for dealing with problems.

PROCEDURES

A. MOTIVATION

Read the following paragraph with as much excitement as possible:

"It's the middle of a hot afternoon. You're sitting on the floor, playing with some small toys. Suddenly, the floor begins to vibrate and the walls shake. You can hear the dishes rattling in the kitchen cabinets. Mother yells at you to go outside quickly while she gets your younger brother and baby sister. As you stand in the street listening to all sorts of loud rumbles and screams, you watch your house crumble to the ground."

Tell the students they have just experienced an earthquake.

B. DEVELOPMENT

Review the location of Guatemala on a map or globe and state that such an earthquake actually happened there in early 1976, causing extensive damage to many cities. Brainstorm what problems these people faced. List the problems on the chalkboard as they are generated by students.

Divide the class into groups of four or five students. Ask each group to discuss how the government should deal with the problems that were listed in the brainstorming session. You may need to guide the class to focus on one or two specific problems such as medical or sanitation needs and food. After 15 to 20 minutes of discussion within the group, bring the class back together and discuss potential solutions generated by the groups.

The discussion may be extended by having presentations from student experts presenting arguments for various disaster relief options. Have a student judge or panel of judges decide the validity of each option using criteria established by the class such as cost, speed of implementation, and lasting benefit.

Another extension idea is to have each student research and write a report on other earthquakes such as the one in Mexico City in 1986.

Following the discussion give students the following situation: "You are the mayor of a town that is facing earthquake-related problems. As mayor you must decide which of the many problems caused by the earthquake should be attended to first. Write down what you would do first and support your answer with reasons. Be sure to consider what is fairest for the people of your town."

MATERIALS: (Needed)
Map or globe with Central America, paper, pencil
Newsmagazine articles on Guatemala

C. CULMINATION

Read aloud or distribute to the class an article from a major news-magazine describing how Guatemalan officials actually responded to the disaster.

Another idea for culmination is to extend the students' thinking about disasters by having them write about or discuss what they would do if they were public officials faced with a flood, tornado, or forest fire.

LESSON 5-4

WHEN SHOULD ONE BE HELD ACCOUNTABLE ?

CONCEPT: Justice

GOAL 8: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide procedures for dealing with problems.

OBJECTIVE 8.3: Identify fair procedures for dealing with problems.

PROCEDURES

A. MOTIVATION

Present the following scenario to students: Bob has been caught shoplifting at a local department store. He has been accused of taking a remote control car and batteries. Bob is fourteen years old and has never been in trouble before. He could now be facing his first appearance in court. Should Bob be tried as a legal adult and prosecuted accordingly?

B. DEVELOPMENT

After discussing Bob, divide students into six small groups. Each group should be instructed to write its own definition of the term "legal adult." After a few minutes of discussion, call on a representative of each group to present the definition to the class. Discuss the meaning of being legally an adult with the class. The goal of the discussion is to reach a consensus on the meaning of the term. Following the discussion, contrast the agreed-upon definition of "legal adult" with that of a "juvenile" in the legal sense. Ask the students to return to their small groups. Give the group the three cases found in Student Handout 2. Allow 20 to 25 minutes for the groups to study the cases and decide whether or not the offenders should be prosecuted as legal adults. If time permits, you may want the students to use the questions found in Handout 6 on page 17 of the introduction as a guide in evaluating the cases. If this approach is taken, assign individual cases to each group rather than asking each group to consider all three cases.

Invite a juvenile court counselor to class to react to the groups as they report on their deliberations regarding the cases. Structure this segment of the lesson so that each group has an equal opportunity for its ideas to be considered. Then ask the court counselor to tell the class how a case of this sort is usually handled by the courts in North Carolina. The following description of what happened in each case can be used in discussing these cases if a court counselor is unavailable.

JOHN

John was judged to be delinquent (guilty of the crime as charged) in juvenile court and put on probation for one year. The judge gave him a curfew of 9:00 p.m. on weekends. He had to work in the County Restitution Program to pay back the value of the stolen bicycle and perform an extra 20 hours of community service for punishment.

Participants in the Restitution Program are sent to different locations in the county where juveniles on probation do such jobs as washing police and fire vehicles, picking up trash around schools, mopping and sweeping floors of public buildings. The money they earn for the "community service" is given to the victims of their crimes.

SUZY

Suzy was found guilty in juvenile court of three separate counts of misdemeanor larceny (theft). She was put on probation for one year with the following special restrictions:

She cannot go into any retail store without adult supervision for six months. She cannot go to Sports World for two months. After the two month restriction, she must ask permission of her Juvenile Court Counselor. She has a curfew of 6:00 p.m. on weekdays and 7:00 p.m. on weekends until changed by court order. She must pay back the $75 for the jewelry through the Restitution Program and she must complete the work within three months. She must write a letter of apology to each store manager for stealing their property. She must spend two days in adult district criminal court taking notes on the defendants and their sentences.

BUTCH

Butch was already on conditional release, or parole from C.A. Dillon School in Butner, North Carolina. He had been committed to Dillon approximately 1 1/2 years earlier for repeated larcenies, assaults, and drug offenses.

Butch's juvenile court case for the burglary and assault charges resulted in a transfer by the Juvenile Court to the Superior Court System and Butch will be tried as an adult.

A conviction of first degree burglary may result in a 50 year to life sentence. Assault inflicting serious injury carries a sentence of up to two years. The exact amount of time spent in jail will be determined by such factors as aggravating and mitigating circumstances of crime(s), sentence imposed by judge, jury's recommendation, and defendant's behavior in jail.

MATERIALS: (Supplied)
Student Handout 1

C. CULMINATION

Have students review the motivational case presented at the beginning of the lesson. Ask the class again to decide if John should be treated as a legal adult.

SHOULD THEY BE TREATED LIKE ADULTS

CASE 1

NAME: John Smith
AGE: 14 years
SCHOOL: E. B. Aycock Junior High, eighth grade

John is in court for stealing a bicycle from a house near his school. He has never been charged with a crime before, but his mother did report that he skipped school sometimes and wouldn't listen to her rules about curfew and hanging around with the "wrong" friends.

CASE 2

NAME: Suzy Jones
AGE: 12 years
SCHOOL: South Greenville Elementary School, sixth grade

Suzy is in court for stealing jewelry from several different stores located in the Carolina East Mall. The total cost of the stolen property is $75.

Suzy was caught stealing from Fast Fare three months ago, but the store manager called her mother instead of the Greenville Police Department. Suzy was warned by the manager not to come back to that Fast Fare again.

Suzy has problems fighting in school and "talking back" to teachers. She has been suspended twice this year and was in in-school suspension three times.

CASE 3

NAME: Butch Guess
AGE: 15 years
SCHOOL: E.B. Aycock Jr. High, ninth grade

Butch is in Juvenile Court for first-degree burglary and assault inflicting serious injury. He broke into a neighbor's house at night while the family was asleep and went into a 70 year-old woman's bedroom and severely beat her. He threatened to kill her if she screamed for help or called the police.

LESSON 5-5

IS IT REAL ?

CONCEPT: Justice

GOAL 8: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide fair procedures for dealing with problems.

OBJECTIVE 8.3: Identify fair procedures for dealing with problems.

PROCEDURES

A. MOTIVATION

Have a police officer show and discuss briefly the similarities between a toy gun and a real gun.

B. DEVELOPMENT

Have the police officer discuss terminology related to gun parts. Read and discuss newspaper and magazine articles regarding the controversy about the manufacture and sale of toy guns.

Ask students to answer each of the following questions in writing and on their own. Their answers should be based on their own experience:

1. Why do toy companies make toy guns?
2. Are there any benefits of having toy guns?
3. Should parents allow children to play with toy guns?
4. Do you think a child's toy gun should look like a real gun? Why? Why not
5. Do you think the government should regulate the manufacture of toy guns? Why?

After students answer the questions, discuss their responses with them. Ask students to think about the consequences of any actions they suggest in response to the questions.

Have students write an essay defending a position, pro or con, on passage of government regulations on the manufacture and sale of toy guns. Have volunteers read their essays aloud to the class. Do not permit students to comment on what others have written. Instead have them read their own papers to the class if their papers present a differing point of view.

MATERIALS: (Needed)
Toy gun, police gun
Magazine and newspaper articles with information on toy guns

C. CULMINATION

Ask students the following questions for reflection only. These are not to be answered aloud or discussed: Before this lesson, had you thought about the issue of the manufacture of toy guns? If you have thought about it previously, did this activity cause you to change your mind? If so how? Why?

LESSON 5-6

ILLITERACY

CONCEPT: Justice

GOAL 8: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide fair procedures for dealing with problems.

OBJECTIVE 8.2: Know examples from the United States, Canada, and/or Latin American societies of fair or unfair distribution of burdens or benefits.

PROCEDURES

A. MOTIVATION

Write the question "Comment allez-vous?" on the board, and ask the class to answer it. Teacher should solicit the students' feelings. (frustration, puzzlement, etc.) For the purposes of this lesson "Comment allez-vous?" means "How are you?"

B. DEVELOPMENT

Introduce the word "illiteracy" - Define and discuss its meaning. Explain that one out of eight Americans are illiterate. Explain the term "functional illiteracy" and contrast it with illiteracy. Divide the class into groups with four or five students in each and have each group brainstorm a list of problems illiteracy creates for the individual and society. After 10 minutes of brainstorming, bring the class back together and share lists.

Divide class into teams of three or four students each. Have each team work together to find magazine articles dealing with illiteracy. Have teams read and summarize their articles and present the summaries to the class.

After student hear the reports of each team, lead them in a discussion based on such questions as:

Why is there illiteracy in the United States?
What is being done to correct illiteracy?
What can be done to prevent illiteracy?
What kind of problems does an illiterate person face in our state and nation?

Guide students in a discussion of societies responsibility toward those who are illiterate. Discuss how we can fairly decide who gets an opportunity to learn to read as adults. Ask students to write essays giving reasons why our state should make adult education opportunities available to those who are illiterate.

C. CULMINATION

Invite a resource person to speak to the class who has lived and functioned as an adult illiterate. It may be possible to find a speaker through a local community college.

LESSON 5-7

IS JUSTICE BLIND?

CONCEPT: Authority/Justice

GOAL 8: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide fair procedures for dealing with problems.

OBJECTIVE 8.3: Identify fair procedures for dealing with problems.

PROCEDURES

A. MOTIVATION

Write the word "law" on the chalkboard. Have students give definitions of the term. Then ask if a law is the same as a "rule." Have students explain why laws are important and necessary. Ask students to give examples of home, school, community, and societal laws.

B. DEVELOPMENT

Discuss laws with students. Make sure the class understands that laws are rules that define people's rights and responsibilities toward society. Laws are agreed upon by society in a democracy. People sometimes view laws with fear, hatred, or annoyance because laws do limit people's freedom. Laws are important and necessary because they prevent people from acting in ways that may harm others. Understanding the need for fair laws and the consequences of breaking laws is a basic requirement of good citizenship. Sometimes strict enforcement of laws may not seem fair or just. In other cases selective enforcement may also seem unfair or unjust.

Write the word "justice" on the chalkboard and ask students to define it. Discuss the meaning of justice until you feel students have a general understanding of this term.

Read aloud or give copies to the class of the case in Student Handout 2 , "The Speeding Ticket." Ask for a show of hands to indicate how many thought it was fair or unfair. Have students give reasons to support their positions. Ask students if a law enforcement officer should ever be allowed to violate the law. Ask students if the offender (speeder) had a valid reason for breaking the speed limit law. You may want to use the "procedural justice questions found on page 22 of the introduction to stimulate further discussion of this case.

MATERIALS: (Supplied)
Student Handout 2

C. CULMINATION

Summarize views of those who favor and those who oppose the actions of the law enforcement officer who issued the ticket. Tell students that enforcement of laws will not always seem fair to all people. The fact that such disagreements occur is one of the reasons for our court system.

Have students write a letter to the law enforcement officer who issued the speeding ticket supporting or opposing his position.

Discuss other situations which raise justice issues such as giving a traffic ticket to the governor rushing to an important meeting, a firefighter returning a fire truck to the fire station, or a garbage collector trying to finish his rounds before the end of the shift. The class might also consider whether a principal should be allowed to break the law by chaining the doors of a school closed to keep narcotics dealers out.

THE SPEEDING TICKET

A law enforcement officer patrolling a state highway stopped a van and gave the drivera ticket for exceeding the speed limit. The driver of the van was another law enforcement officer. The van driver objected to the ticket and argued that he had a valid reason for speeding. He explained that he was trying to get a group of prisoners back to their prison in time for dinner. He stated that if the prisoners did not arrive on time, he would have to take the group to a public eating place for their meal. He argued that doing so would quite possibly endanger the comfort and safety of private citizens eating at the restaurant. He did not want to take that risk. Therefore, he was driving fast to get the prisoners back to the prison unit on time.

1. Do you think the speeding officer had a good reason for breaking the law?

2. Do you think exceptions to the law should be made for people in positions of authority?

3. Should there ever be exceptions to the law for anyone under any circumstances?

EQUALITY? / YES OR NO

CONCEPT: Justice

GOAL 8.0: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide fair procedures for dealing with problems.

OBJECTIVE 8.2: Know examples from American society of fair or unfair distributions of benefits and burdens.

PROCEDURES

A. MOTIVATION

Raise the following question with your students: Does the United States Constitution clearly define equal rights and protection of those rights for women?

B. DEVELOPMENT

Divide the class into groups and give each group one of the situations found in Student Handout 4. Have each group discuss its situation and decide if the women involved have been treated fairly. Have each group read its story aloud and tell the class what they decided and why.

Provide students with copies of the Fourteenth and Nineteenth Amendments. Read them aloud. Ask students what the Constitution says about the rights of women. Through examination of the Constitution, students should recognize that the Constitution does not specifically address the rights of women except in the Nineteenth Amendment. They should be informed that there are individual statutes and and court decisions which clarify the rights of women in areas such as housing, employment, and personal rights.

MATERIALS: (Needed)
Copies of the fourteenth and nineteenth Amendments, poster board, magazines, glue,

(Supplied)
Student Handout 3

C. CULMINATION

Invite a person who is knowledgeable about women's rights and women's issues to speak to the class. Have students look through old newspapers and newsmagazines to find examples of women in unfair situations. Make a collage or poster depicting fair and equal treatment of women. Poll the class to see if they think women's rights are spelled out in the Constitution.

SALLY

Sally has a degree in business from a state university. She is a single parent with two children and has worked at a bank for eleven years. Sally is a hard worker and good at her job.

Jim has been transferred to the bank and has worked there for three years. Jim is married with one child. He holds an equally respected degree from a state university. The bank president and Jim play golf together every Saturday and share many other interests.

The bank wants to open a new branch and needs a branch manager. Both Sally and Jim apply for the job. The bank president gives the job to Jim. The president thinks that Sally might have to miss too many days of work when her children are sick. He also thinks she might remarry and move away.

DAVID AND TERESA

Martha Scott College is traditionally an all-female college. However, to get federal grants, it must admit men students.

Teresa has applied to the college for admission in the fall. She makes good grades. Her parents do not have enough money to pay her tuition, so she has applied for a scholarship from the college.

David also wants to attend Martha Scott College. He, too, makes good grades. David's parents are able to pay his tuition, but he decides to try for a scholarship anyway.

Officials at Martha Scott College are trying to attract male students for the fall semester. After reviewing Teresa's and David's applications for scholarships, they admit both but award a scholarship to David.

PATRICIA AND MATT

Patricia and Matt have each bought a car and they need automobile insurance. They will both use the same insurance company. Patricia has behavior problems. She is constantly in trouble at school. She also has problems at home. Matt is a model student. He makes good grades, is well liked, and is seldom in trouble. At home, he is very cooperative. Patricia's automobile insurance policy costs her $314 a year. Matt's cost $502 a year. In the eyes of the insurance company, boys are more reckless drivers than girls. Therefore, the company charges a higher rate for boys.

NANCY

When young men reach the age of 18, they are issued a selective service number to be used when the number of armed forces needs to be increased. In case of war, these men may be drafted into the military service. Young women are not included in this process. However, young women may join the armed forces by choice.

Nancy joined the Army. When women join the Army they go through basic training with the men. She is an expert shot with a rifle, has learned to parachute, and can operate high-tech equipment. Nancy enjoys this physical aspect of being in the Army. When Nancy completed her training, she was given a job in the commander's office. When her unit was sent to the Mediterranean to protect the shipping lanes, Nancy was not allowed to go. It is the general feeling of the Army that women should not face combat.

LESSON 5-9

FAIR TO WHOM?

CONCEPT: Justice

GOAL 8: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide procedures for dealing with problems.

OBJECTIVE 8.2: Know an example from American society of fair or unfair distribution of benefits and burdens.

PROCEDURES

A. MOTIVATION

Display five candy bars. Tell the class that these candy bars will be given to the five people who draw a green piece of paper from the shoe box. (Place only five green pieces in the box along with some of another color. Make sure there are enough total pieces for the entire class.) Hold a drawing. Based on the results of the drawing, give the candy bars to various students in the class.

Then ask the class the following questions: Was this system of distribution fair? How did you feel when you did not get a green piece of paper? Can you suggest other ways to distribute this candy that may have been more fair?

B. DEVELOPMENT

Tell the students that there are many instances in history when people were not treated fairly. Tell them that in many cases decisions had to be made as to who would bear various burdens or receive certain benefits.

Discuss the women's suffrage movement with the class. Tell students that most American women did not receive the right to vote until the ratification of the Nineteenth Amendment in 1920. Describe the struggle of women to receive this right. Tell students that just as many people who happened to pull out a green card got a candy bar, a person who happened to be a male before 1920 could vote. If a person happened to be born a woman, that privilege was denied.

Ask the students to name other examples of inequalities that have existed in the history of the United States. Some examples may include the special privileges of property holders in the history of our country, taxation, the military draft, treatment of women and other minorities in the United States and in other societies, and the treatment of poor people today. Discuss how benefits and burdens are distributed in each instance and whether they were fair.

Divide the class into small groups of four or five. Tell students that some people in the class will receive "No Homework" passes (This is a pass to be used at the student's convenience when he/she does not want to do homework on a given night.) Ask the students in each group to list as many fair ways of distributing the passes as they can. After a few minutes ask each group to share their ideas and list these on the chalkboard.

Ideas might include giving passes to the group or groups who list the most ideas, giving passes to the group or groups who list the best ideas, giving passes to the entire class if they do a good job in class today.

Let the students vote to decide which idea listed on the chalkboard is most fair. Pass out the "No Homework" cards to the students who qualify according to the distribution system voted on by the class. Discuss the difficulties in making these decisions.

MATERIALS: (Needed)
Five candy bars, slips of colored paper, shoe box
"No Homework" passes

C. CULMINATION

Tell the class that identifying the fairest method of dealing with problems is not always easy. This challenge has been a part of American political life since our earliest history. It is a challenge all United States citizen face now and in the future.

LESSON 5-10

YOU FIX IT?

CONCEPT: Justice

GOAL 8.0: Know that the system of justice can correct wrongs, distribute benefits and burdens fairly, and provide fair procedures fro dealing with problems.

OBJECTIVE 8.2: Know examples from the United States, Canada and Latin American societies of fair or unfair distribution of benefits and burdens.

PROCEDURES

A. MOTIVATION

Tell students that in certain parts of the United States and Canada acid rain is killing trees and fish in ponds and streams. Show pictures of what is happening. Show students on a map where acid rain is occurring in the eastern United States and Canada.

B. DEVELOPMENT

Explain the meaning of acid rain, how it is formed, and how it is affecting our environment. Also, point out that it is affecting our relations with Canada since acid rain in that country is caused mainly by industrial pollution from factories in the northeastern United States. The information in Student Handout 5 will inform this discussion. Ask students what they feel should be done about the acid rain problem.

Divide the class into groups of three and discuss the problems in student handout 4 using an adversarial approach. In each group, one student will take the industry position, a second student will take the environmentalist position and the third student will become a decision maker. Students assigned the environmentalist and the industry positions should be provided the role card with information on their assigned position. Give these students a few minutes to study their roles. The decision maker should be instructed to preside in the triad by letting the other two students know when it is time to begin their arguments. The decision maker should call on the environmentalist first and give them two minutes to plead his/her case. The student with the industry position should be called upon next and given two minutes to present his/her position. After both students have been heard, the decision maker may ask questions of both parties. (This procedure will go on simultaneously in all groups In the class.

If there are 30 students, there will be 10 triads working simultaneously.) After the triads have sufficient time to complete their work, ask the decision maker to decide which presenter in their group made the most persuasive arguments. Ask the decision-makers to hold their decision until called upon. Poll each decision-maker and tabulate the decisions on a chalkboard or chart. This procedure may be repeated using a new set of facts and placing students in a different role each time.

Bring the class back together and discuss the issues further using the distributive justice questions to focus the discussion. Debrief the activity by asking: which roles were most difficult?, how did it feel to be on the losing side?, how did it feel to win the debate? How does it feel to make decisions based on what others told you?, how much were decisions influenced by previous experience? and how much were you influenced by the arguments? Do you believe government officials have a difficult time making decisions on matters such as acid rain?

MATERIALS: (Needed)
Chart or tag board, crayons or markers.
Pictures of the effects of acid rain on forests, freshwater fish, stone road markers, building, tombstones, monuments, and crops.
Map of North America

(Provided)
Background reading on acid rain.
Role cards

C. CULMINATION

Have students create posters or collages which show the effects of acid rain. Display the posters in the classroom or a public area of the school.

BACKGROUND READING

WHAT IS ACID RAIN?

Most air pollution comes from the burning of fossil fuels - coal, gasoline, and oil. From these we get energy to generate electricity, run our cars, and power our industries. Acid rain is one result of this pollution. It occurs when sulfur dioxides and nitrogen oxides oxidize (or change chemically) and then combine with cloud moisture to form mild solutions of sulfuric and nitric acids. The sulfur dioxide comes from the smokestacks of utility plants of smelters while nitrogen oxides are from smokestacks and automobiles and truck exhausts. Today, sulfur oxides are primarily the cause of acid rain. About thirty million tons are produces annually by United States utility and industrial plants. The smelters and plants in Canada contribute about five and one-half million tons.

Pollutants may travel hundreds or thousands of miles from their sources before being changed, they come down to earth in the form of acid rain, snow, sleet, or fog. They could also come down as gases or as dry particles that can combine with morning dew. The seriousness of this problem has only become clear within the last 20 years.

HOW IS ACID RAIN AFFECTING OUR ENVIRONMENT?

The problem of acid rain first appeared in the 1950's when scientists noticed a rise in the acidity of lakes. Acid rain has varying consequences on areas where it falls. Some areas are highly sensitive to acid rain while others are not. The effect on lakes in eastern Canada and northeastern United States has been greatly increasing. In a span of a few years, quite a lot of them animal and plant life has been virtually destroyed. Approximately 180 of the Adirondack region's 2,800 lakes are without fish, and 140 fishless lakes have been documented in the providence of Ontario, and the number of fish caught dropped 30 per cent in some of the lakes north of Quebec City between 1970 - 1979. Nearly 56 per cent of the lakes tested in Quebec have been found to be very sensitive and 17 per cent were acidified. Some examples of fish being killed in remote ponds and rivers are brook trout, small mouth bass, wall-eyed pike, and flathead minnows. Not only fish have been affected, but acid rain is also killing mussels, crayfish, salamanders, and frogs.

The acids damage monuments, statues, tombstones, and buildings. Those made of limestone and marble seem to be more susceptible to damage. It eats the features off statues and removes the names from old tombstones. The acids combine chemically with the surface and the outer layer flakes off. In some areas, trees are being affected. Some scientists believe that acid rain will greatly reduce forest production within 50 years. People with bronchial disorders and respiratory diseases can be adversely affected by the polluting of air with minute sulfate particles.

Water supplies which provide drinking water often become contaminated with heavy metals such as mercury from hard rocks due to the leaching caused by acidic precipitation. Scientists also fear that acid rain falling on crop lands could eventually cause extensive changes in the soil chemistry.

HOW IS ACID RAIN AFFECTING OUR RELATIONS WITH CANADA?

The problem of acid rain has become an international and political one. Often the pollutants rise in the United States and go down in Canada. For years Canada complained to the United states regarding the heavy pollution of air by the smokestacks of the industrial belt of the northeast and the creation of acid rain. Realizing the magnitude of this problem, Canada and the United States have made a joint effort to clean up the air of North America. Both have passed clean air acts, but this does not appear to be enough. The United States in 1970 passed the Clean Air Act which mainly was designed to control air pollution on a local or a statewide basis. In 1977, the United States amended the act and required the installation of scrubbers on new plants, but older plants were permitted to continue without controls as long as the air in the vicinity of the plants was at an acceptable level of purity. The present law would have to be amended in order to control the emissions from older plants.

Canada continued to complain to the United States regarding the formation of acid rain and the damage it is doing to the Canadian environment. This complaint was regularly dismissed by the Reagan administration. After a report by the National Research Council, was released concluding that emissions of sulfur dioxides produce acid rain and that acid rain harms the environment, President Reagan decided to work more with Canada on this problem. In 1986, his administration

called for a five year, $5 billion research program into clean coal technology to reduce smokestack emissions. The Canadians do not believe the United States is moving quickly enough to do all it can do to reduce the acid rain problem, and time seems to be running out. This subject continues to be a major conflict between the United States and Canada today.

WHAT CAN BE DONE?

Today, the technology is available to control man-made emissions of sulfur dioxides and nitrogen oxides. Approximately 90 per cent of the sulfur in utility stacks can be removed by chemical scrubbing of the gases. Techniques are known that can remove sulfur from ores used in smelters. Technologies are being tested which will control nitrogen released from smokestacks. Nitrogen emissions from autos can be removed by devices which presently exist. Energy conservation programs which can prove effective are being pushed also. Even with all of these, it is still important for controls to be put in place.

WHAT SHOULD BE DONE?

Everybody who knows anything about acid rain agrees that it is a problem but everybody does not agree on what to do about it.

GENERALIZED POSITION STATEMENTS

INDUSTRIALIST

You represent major industries and power companies. You feel more time and research are needed. You feel more must be known about the sources and causes of acid rain before taking large scale action. Scrubbers might help, but installing more scrubbers will be very expensive. The scrubbers' cost will be passed along to consumers of electricity or other products. Also, scrubbers will not solve the acid pollution caused by motor vehicles. In your opinion scientist have not satisfactorily proven that acid rain is a major problem which justifies spending billions of dollars.

ENVIRONMENTALIST

You represent a lot of environmentalists and nature lovers. You and those who agree with you,say stop it now! You want action before more damage is done. You want new and tougher laws that prevent chemicals from polluting the atmosphere. You want all industries and power companies to install scrubbers. These are devices that remove acid-causing chemicals before they go up the stacks. You are concerned that living things are continuing to die out in increasingly acid environments.

CASES

Cattle Compensation

Canadian cattle farmers are demanding compensation from the United States for damage to pasture lands caused by acid rain. They feel it is costing at least $25.00 per head for all cattle raised. This will amount to several million dollars per year.

Should the United States meet Canadian demands and pay cattle producers $25.00 per head and pass the cost along in taxes to industries which produce acid rain causing emissions?

Environmentalist position: Yes
Industry Position: No

Limit Fishing Rights

Migratory fish populations are being reduced because of stream pollution caused by acid rain in northeastern Canada. This has also affected off shore fishing grounds. Commercial fishers have noticed a drastic reduction in catches off the coast of Newfoundland. Scientists attribute this reduction directly to acid rain caused by industrial pollution. The Canadians want to limit the catches for American fishers by 20% so more fish will be available to Canadians. They want this penalty imposed until there is a 20% reduction in pollutants coming from United States factories.

Should American fishers be penalized?

Environmentalist Position Yes

Industrialist Position No

Using Dead Forest

Forests that have died as a result of acid rain are being cut at a rapid rate so they can be harvested before decay and disease harm the trees further. Canadian sawmills are producing more lumber products than can be sold to their normal customers. The Canadian government wants the United States to help in the promotion of the sale of theses products in the United States and world markets. This will probably hurt American producers of timber products but will mean profits for Canadians.

Should the United States government help sell Canadian lumber products?

Environmentalist position Yes
Industrialist Position No